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| UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY | |
| Caption in Compliance with D.N.J. LBR 9004-1(b) COLLINS, VELLA & CASELLO, LLC 2317 Route 34, Suite 1A Manasquan, NJ 08736 (732) 751-1766 Joseph M. Casello, Esq. Attorney for the Debtor | |
| In Re: Kenneth J. Blankenbaker | Case No.: <u>19-22933</u> Judge: <u>Gravelle</u> Chapter: <u>13</u> |

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION

The debtor in this case opposes the following (choose one):

1. ☒ Motion for Relief from the Automatic Stay filed by US Bank National Association, creditor,

A hearing has been scheduled for December 2, 2020, at 9:00.

- ☐ Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for _____, at _____.

- ☐ Certification of Default filed by _____,

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons (choose one):

- ☐ Payments have been made in the amount of \$ _____, but have not been accounted for. Documentation in support is attached.

☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**):

☒ Other (**explain your answer**):
See attached.

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.
4. I certify under penalty of perjury that the above is true.

Date: 11-23-2020


Debtor's Signature

Date: _____

Debtor's Signature

NOTES:

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee's Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.

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UNITED STATES BANKRUPTCY COURT
District of New Jersey

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| In re: | : | |
| Kenneth J. Blankenbaker | : | Chapter 13 Case No. 19-22933 |
| Debtor | : | Judge: Hon. Christine M. Gravelle, U.S.B.J. |
| | | Hearing Date: Dec. 2, 2020 at 9:00 a.m. |

**CERTIFICATION OF DEBTOR IN OPPOSITION TO THE MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

Kenneth J. Blankenbaker, being of full age, hereby certifies to the Court and says:

1. I am the Debtor in the above-captioned Chapter 13 case and make this Certification in opposition to the motion for relief from the automatic stay filed by US Bank Trust National Association.
2. My wife and I operate a jewelry store in Colts Neck, New Jersey. On March 21, 2020, the governor closed all non-essential retail establishments and we were unable to reopen for business until June 17, 2020. Even after reopening our business suffered.
3. At the time the business closed, we were in the midst of a trial loan modification with Selene Finance, servicer for US Bank Trust National Association.
4. Despite the closure of our business and the loss of income resulting from the closure, we made the last two trial modification payments for the months of April and May 2020.
5. Since we completed the trial plan, we thought we would receive a permanent loan modification from Selene.

6. In June 2020, having not received the permanent loan modification, we called Selene and requested a forbearance plan. We were advised that someone from Selene would reach out to us to discuss our options for a forbearance.

7. On July 2nd, someone from Selene called us but we missed that call. Throughout July we called Selene and often spent more than 60 minutes on the call only to be told that we needed to discuss these options with Paul Bosois, the loan specialist assigned to our case.

8. We never received a return call from Mr. Bosois.

9. In October 2020, we emailed the Loan Resolution Department at Selene.

10. We received no response and we again emailed Selene in early November. We received no response.

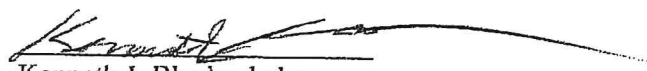
11. On November 18, 2020, my wife called Selene and spoke with a representative named Floyd who advised us the notes on the file reflected we requested a forbearance in July but no action was taken by Selene to process this request.

12. We were advised that we should renew our request for a forbearance which we did. We were further advised that it could take up to 30 days to process our request.

13. Our store is reopen for business and we can begin making mortgage payments immediately. We also believe we could cure any arrears over six month period but we would prefer to incorporate those arrears into a final loan modification with Selene.

I hereby certify that the foregoing statements made by me are true to the best of my knowledge, information and belief. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 11-23-2020


Kenneth J. Blankenbaker